IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

MONDAY, THE 21ST AUGUST 2006 / 30TH SRAVANA 1928

Bail Appl..No. 5104 of 2006

CMP.5189/2006 of J.M.F.C.,TIRUR
CRIME NO. 293/2006 OF KALPAKANCHERY POLICE STATION

.....

APPLICANT/ACCUSED NO.1:

AHAMMED IQBAL, S/O.KOYAKUTTY HAJI,
DEVARU PARAMBIL HOUSE, P.O. KARIPPOLY VALANCHERY,
TIRUR TALUK.

BY ADV. SRI.P.VIJAYA BHANU
SRI.PRASUN.S

RESPONDENTS: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM, REPRESENTING THE S.I. OF
KALAPAKANCHERY POLICE STATION.

BY PUBLIC PROSECUTOR P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5104/2006

DATED THIS THE 21ST DAY OF AUGUST, 2006

O R D E R

The petitioner is the first accused, in crime No.293/2006 of Kalpakanchery Police Station, for the offence punishable under Sections 459, 324, 326 and 308 IPC read with Section 34 IPC. It is alleged that the petitioner had assaulted his step mother and her two sons, causing injuries, including fracture on the nasal bone, of the defacto complainant. The counsel submitted that the occurrence took place because of the property dispute between the parties and there was no intention or mens rea, to cause any injury. The petitioner was arrested on 7.8.2006 and he remains in judicial custody, thereafter. Hence this application, under Section 439 Cr.P.C.

2. In view of the above facts, I grant bail and release the petitioner from jail, subject to the following conditions:-

(a). The petitioner shall execute a bond for Rs.20,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of First Class, Tirur.

(b). The petitioner shall report before the Investigating Officer, once in a week on every Monday, between 10.00 a.m and 11.00 a.m., for a period of three months, starting from 28.8.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs